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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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9 HSBC BANK USA, N.A.,

10 Plaintiff,

11 v.

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13 SUNDANCE HOMEOWNERS'
14 ASSOCIATION, INC.,

15 Defendant.

Case No. 2:17-cv-01144-RFB-VCF

ORDER

16 HSBC BANK USA, N.A.,

17 Plaintiff,

18 v.

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20 SBENJAMIN DONEL; MICHAEL
21 ESLAMBOLI; SUNDANCE HOMEOWNERS
ASSOCIATION, INC.,

22 Defendants.

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24 On April 21, 2017, this Court certified a question of law regarding NRS 116's notice
25 requirement to the Nevada Supreme Court in Bank of N.Y. Mellon v. Star Hill Homeowners Ass'n,
26 Case No. 2:16-cv-02561-RFB-PAL, ECF No. 41. The Court finds that the outcome of that decision
27 will impact the pending motions in this case. For reasons of judicial economy and to avoid
28 inconsistent decisions or partial decisions on some but not all issues, the Court will not consider

1 any further motions until the parties have had the opportunity to receive and address the Nevada
2 Supreme Court's opinion on this issue.

3 **IT IS THEREFORE ORDERED** that this case is hereby STAYED.

4 **IT IS FURTHER ORDERED** that Defendant Sundance Homeowners Association, Inc.,
5 Motion to Dismiss is DENIED without prejudice. ECF No. 7. The moving party shall have 21 days
6 from the date of the Nevada Supreme Court's decision on the certified question to file a modified
7 Motion to Dismiss or to file a notice renewing the previously filed motion. The opposing party
8 shall have 21 days to respond. The moving party shall have 14 days to reply.

9 **IT IS FURTHER ORDERED** that Plaintiff HSBC Bank USA, N.A., Motion for Summary
10 Judgment is DENIED without prejudice. ECF No. 25. The moving party shall have 21 days from
11 the date of the Nevada Supreme Court's decision on the certified question to file a modified Motion
12 for Summary Judgment or to file a notice renewing the previously filed motion. The opposing
13 party shall have 21 days to respond. The moving party shall have 14 days to reply.

14 **IT IS FURTHER ORDERED** that Defendant Sundance Homeowners Association, Inc.,
15 Counter Motion for Summary Judgment is DENIED without prejudice. ECF No. 29. The moving
16 party shall have 21 days from the date of the Nevada Supreme Court's decision on the certified
17 question to file a modified Motion for Summary Judgment or to file a notice renewing the
18 previously filed motion. The opposing party shall have 21 days to respond. The moving party shall
19 have 14 days to reply.

20 **IT IS FURTHER ORDERED** that all other pending motions are DENIED without
21 prejudice.

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23 **DATED** this 22nd day of March, 2018.

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26 **RICHARD F. BOULWARE, II**
27 **UNITED STATES DISTRICT JUDGE**
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